

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

CODY A. CAPE

Defendant.

**8:20MJ633**

**ORDER ISSUED PURSUANT TO THE  
DUE PROCESS PROTECTION ACT**

This matter came before the Court for Initial Appearance on a Complaint. The government was represented by Sean Lynch. The defendant was present and represented by Richard H. McWilliams.

IT IS ORDERED:

Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and orders the United States to do so. Failure to disclose exculpatory evidence in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court.

DATED: January 6, 2021.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge